# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

SAFETY FIRST EQUIPMENT SALES AND RENTAL, LLC

For a Motor Carrier Certificate or Permit.

DOCKET NO. 04-0279

DECISION AND ORDER NO. 21481

2004 NOV 30 A 8: 22

IV. OF CONSUMER ADVOCAC
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
CONSUMER AFFAIRS

Filed Mycmba 29, 2004

for Chief Clerk of the Commission

ATTEST: A True Copy KAREN HIGASHI

Chief Clerk, Public Utilities Commission, State of Hawaii.

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DECISION AND ORDER

I.

## Application for Common Carrier Authority

On September 23, 2004, SAFETY FIRST EQUIPMENT SALES AND RENTAL, LLC ("Applicant") filed an application requesting a certificate of public convenience and necessity to operate as a common carrier of property by motor vehicle over irregular routes on the island of Oahu in the specific commodities (heavy machinery and equipment) classification. The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-12.

Applicant served copies of the application on the Hawaii Transportation Association, which consists of carriers that may be affected by Applicant's proposed service, and on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"). The Consumer Advocate did not participate in this proceeding, and no persons moved to intervene in this docket.

### Findings and Conclusions

Based upon our review of the record, we find that Applicant is fit, willing, and able to properly perform the proposed service, and to conform to HRS chapter 271 and the requirements and rules of the commission. We also find that the proposed service is required by the present and future public convenience and necessity. Accordingly, we conclude that Applicant's request for operating authority, as set forth in the application, should be granted.

III.

#### Orders

#### THE COMMISSION ORDERS:

- 1. Applicant is granted a certificate to operate as a common carrier of property by motor vehicle over irregular routes on the island of Oahu in the specific commodities (heavy machinery and equipment) classification.
- 2. Applicant shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, paying a fee of \$20 for motor carrier gross revenues and filing the appropriate insurance documents.
- 3. Applicant shall comply with the foregoing requirements within one hundred and twenty (120) days after service of this decision and order. Failure to comply within the time specified constitutes cause for this commission to void this decision and order.

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4. Applicant shall not commence operations under this decision and order until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii \_\_\_\_\_\_NOV 2 9 2004 \_\_\_\_.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

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Carlito P. Caliboso, Chairman

By Oyn Fatamusa

Wayne H. Kimura, Commissioner

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Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne \$. Stone Commission Counsel

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### CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No.</u> 21481 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

SAFETY FIRST EQUIPMENT SALES AND RENTAL, LLC c/o CLIFFORD T. MAEDA 3103 N. Nimitz Hwy., Suite A Honolulu, HI 96819

DATED: NOV 2 9 2004

Karen Higashi/